

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

RIO PIEDRAS EXPLOSION
LITIGATION

Civil No. 96-2443(CCC)

CLARIFICATION TO REPORT AND RECOMMENDATION
DATED AUGUST 31, 2001

On September 10, 2001, a motion was filed by Attorney Jorge Ortiz Barnett requesting clarification of the Report and Recommendation issued on August 31, 2001 (**Docket No. 3245**). Counsel's request for clarification is well taken.

It must be noted that at page 20 of the Report and Recommendation it is stated and recommended that 5% of the total fee award be set aside to cover costs and expenses. As correctly inferred by counsel and consistent with other statements therein, it must be clarified that the recommendation issued is to have 5% of the total settlement award per case be set aside to cover for the expenses incurred by the Plaintiffs' Steering Committee (PSC). Were the amounts so set aside exceed the total sum to be paid to the PSC, as stated at page 20 of the Report and Recommendation, said amounts will be returned to the individually retained attorneys for plaintiffs (IRPA's), proportionate to the total of his/her contribution.

SO RECOMMENDED.

At San Juan, Puerto Rico, this 25th day of August, 2001.

Aida M. Delgado-Colon
AIDA M. DELGADO-COLON
U.S. Magistrate-Judge

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